

City of
CRESTON, IOWA

116 W. Adams • P.O. Box 449 • Creston, Iowa 50801-0449
Phone 641-782-2000 • Fax 641-782-6377



Creston's Restored Depot and City Hall

MAYOR: Warren Woods
COUNCIL: Randy White, Rich Madison, Ann Levine,
Marsha Wilson, Gabe Carroll, Dave Koets, Gary
Lybarger, Nancy Loudon
CITY CLERK: Lisa Williamson
CITY ADMINISTRATOR: Mike Taylor
CO-CITY ATTORNEYS: Skip Kenyon & Marion James

Regular Meeting Agenda
City Hall/Restored Depot
Council Chambers
Tuesday, June 2, 2015
6:00 p.m.
05/29/2015 2:24 PM

1. **Call Meeting to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Consideration of Agenda**
5. **Consider Adoption of the Consent Agenda – NOTE: These items are routine items and will be enacted by one motion without separate discussion unless a Council member requests an item be removed for separate consideration.**
 1. **Minutes:** May 19, 2015 – Regular Meeting
 2. **Claims & Fund Transfers:**
 - i. **Total Claims** - \$485,004.82
 - ii. **Fund Transfers** - \$5,807.28
 3. **Liquor License Renewals:** Park & Rec Board
 4. **Tobacco Permits:** Farm & Home; Pokorny BP; Hy-Vee; Fareway
 5. **Amusement Permits:** Montgomery Street Pub; Elks; Sidetracked Again; A&G; Eagles
6. **Public Forum – the Mayor and City Council welcome comments from the public on any subject pertaining to City business, including items on this agenda. You are asked to state your name and address for the record and to limit your remarks to 3 minutes in order that others may be given the opportunity to speak. The Order of Business is at the discretion of the Chair. No action will be taken.**
7. **New Business**
 1. **Public Hearing** on the proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan
 2. **Resolution** determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Amendment No. 2 to the James Subdivision Urban Renewal Plan
 3. **Consideration** of Ordinance for the division of revenues under Iowa Code Section 403.19 for Amendment No. 2 to the James Subdivision Urban Renewal Plan
 4. **Public Hearing** on the proposed South Cottonwood Residential Urban Renewal Plan
 5. **Resolution** determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as

appropriate for urban renewal projects; and adopting the South Cottonwood Residential Urban Renewal Plan (includes authorization for Agricultural Land Consent and Extension Agreement)

6. **Resolution** fixing date for a Public Hearing on June 16, 2015, at 6:00 p.m. on the proposal to enter into a Development Agreement with Sonntag Development, LLC
 7. **Resolution** fixing date for a meeting on June 16, 2015, at 6:00 p.m. on the proposition of the issuance of not to exceed \$1,300,000 Taxable General Obligation Urban Renewal Bonds of the City of Creston, State of Iowa (for Essential Corporate Urban Renewal Purposes), and providing for publication of notice thereof
 8. **Resolution** to approve a Settlement Agreement with Interstate Enterprises, Ltd. revised for change of name
 9. **Resolution** to set a Public Hearing on June 16, 2015, at 6:00 p.m. for the purpose of granting an easement to Interstate Enterprises, Ltd.
 10. **Resolution** to accept \$9,000 grant from South Central Iowa Community Foundation on behalf of the Park & Recreation Board
 11. **Resolution** to accept \$5,000 grant from South Central Iowa Community Foundation on behalf of the Creston Fire Department to use toward the purchase of a grass/brush fire truck
 12. **Resolution** to approve a Funding Request of \$3,685 by the Crest Area Theater to be paid from the Hotel-Motel Fund for tourism related production
 13. **Resolution** to approve contract with Windstream Communications LLC for new phone system at the Fire Department for \$5,220.70
 14. **Resolution** to determine Conditional Use Permit request for a church use at 124 N Maple
 15. **Resolution** to designate handicap parking space either on Adams Street or Maple Street
 16. **Motion** to approve street closing request by P&R Board for Party in the Park and Noise Permit
 17. **Motion** to go into Closed Session per Iowa Code 21.5(1)(j) – Property acquisition
 18. **Action** to be taken – if any – on property acquisition
 19. **Motion** to go into Closed Session per Iowa Code 21.5(1)(c) – Union Negotiations
 20. **Resolution** to approve Bargaining Unit Contract with Teamsters Local #238 – Fire
 21. **Motion** to go into Closed Session per Iowa Code 21.5(1)(c) – Possible litigation
 22. **Action** to be taken – if any – on possible litigation
8. **Other**
9. **Adjournment**

REGULAR MEETING OF THE CRESTON CITY COUNCIL MAY 19, 2015

The Creston City Council met in regular session at 6:00 o'clock p.m. on the above date in the Council Chambers of the City Hall Complex with Mayor Woods presiding.

Roll call being taken with the following Council members present: Loudon, Lybarger, Koets, Wilson, Madison and White. Third Ward seat is vacant.

Wilson moved seconded by White to approve the agenda. All voted aye. Third Ward seat is vacant. Motion declared carried.

Wilson moved seconded by Madison to approve the consent agenda, which included approval of minutes of May 5, 2015, regular meeting; claims of \$263,110.31 and fund transfers of \$969,022.65; tobacco permits for Casey's General Stores #3, 2422, 2423, 2424, 3223 and 3224 and Dollar General; amusement permit for The Lobby. All voted aye. Third Ward seat is vacant. Motion declared carried.

Mayor Woods requested to change the order of business by starting with Items #1 and #2 and then hold the Public Forum.

A resolution was offered by Wilson seconded by White to appoint Dr. Gabe Carroll to fill a vacancy for Third Ward Councilperson with term expiring December 31, 2015 and authorize the Mayor and Clerk to execute the proper documentation. Loudon, Lybarger, Koets, Wilson, Madison and White voted aye. Third Ward seat is vacant. Resolution declared passed.

Mayor Woods administered the Oath of Office to Third Ward Councilperson Gabe Carroll.

During Public Forum, Pastor JoAnna Davis addressed Council regarding the recommended denial for a conditional use permit to use 124 N. Maple as a church from the Planning & Zoning Commission, and encouraged Council to consider approval of their request.

Jack Willis, Lisa Ross, Tim Ross, Francine Ide and Tammy Ornelis also addressed Council, encouraging them to approve the request for a conditional use permit.

Kenneth Norton, 607 College Drive, is concerned with Council's ruling and how it will affect the other churches in the area if they do approve the conditional use permit.

Joyce Franklin and Mike Coen, business owners in the uptown area, both spoke in opposition of approving a conditional use permit for the church due to the location and feel the business atmosphere should be kept in the uptown area.

Mayor Woods announced that now is the time for a Public Hearing on the matter of amending the Fiscal Year 2015 Budget. He asked if anyone wished to speak in favor of the budget amendment, no one did; he asked if there was any written correspondence in favor of the budget amendment, there was none. He asked if anyone wished to speak against the budget amendment, no one did; he asked if there was any written correspondence against the budget amendment, there was none. He then called the Public Hearing to a close.

A resolution was offered by Wilson seconded by Madison to amend the current budget for Fiscal Year Ending June 30, 2015 and authorize the Mayor and Clerk to execute the proper documentation. White, Loudon, Lybarger, Koets, Wilson, Carroll and Madison voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Loudon to approve Partial Payment #1 of \$11,954.80 to Midland Restoration for work completed on the Restored Depot Masonry Repairs Project and authorize the Mayor and Clerk to execute the proper documentation. Lybarger, Koets, Wilson, Carroll, Madison, White and Loudon voted aye. Resolution declared passed.

Madison moved seconded by Wilson to table the Conditional Use Permit request by God's Outreach Deliverance International Church for a church use at 124 North Maple Street until the June 2, 2015, Council Meeting. White, Loudon, Lybarger, Koets, Wilson, Carroll and Madison voted aye. Motion declared carried.

A resolution was offered by Loudon seconded by White to approve an Engineering Services Agreement with Veenstra & Kimm for the Wastewater Treatment Facility Plan and authorize the Mayor and Clerk to execute the proper documentation. Lybarger, Koets, Wilson, Carroll, Madison, White and Loudon voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by White to approve Partial Payment No. 1 of \$32, 593.31 to Hydro-Klean, LLC for work completed on the North Side Sanitary Sewer Rehabilitation Project and authorize the Mayor and Clerk to execute the proper documentation. Loudon, Lybarger, Koets, Wilson, Carroll, Madison and White voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Loudon to approve Joint Fire Protection Service Agreements with the townships of Douglas, Grant (with exception of the City of Shannon City), Highland, Lincoln, Platte, Spaulding and the City of Cromwell and authorize the Mayor and Clerk to execute the proper documentation. Lybarger, Koets, Wilson, Carroll, Madison, White and Loudon voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by White to approve and adopt the 28E Articles of Agreement with Iowa Community Trust Governmental Health and Related Benefits Program and authorize the Mayor and Clerk to execute the proper documentation. Loudon, Lybarger, Koets, Wilson, Carroll, Madison and White voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by Loudon to approve the appointment of the City Administrator as the official representative for the City of Creston to the Iowa Community Trust Governing Board and authorize the Mayor and Clerk to execute the proper documentation. Lybarger, Koets, Wilson, Carroll, Madison, White and Loudon voted aye. Resolution declared passed.

A resolution was offered by Wilson seconded by White to approve Drawdown Request #2 of \$15,782.14 from CDBG Funding (#14-WS-038) for the North Side Sewer Rehabilitation Project and authorize the Mayor and Clerk to execute the proper documentation. Loudon, Lybarger, Koets, Wilson, Carroll, Madison and White voted aye. Resolution declared passed.

Wilson moved seconded by White to approve requested street closings and Noise Permit for the Elm's Club 6th Annual Bike Night on June 26 from 3:00 p.m. to 2:00 a.m. June 27. Lybarger, Koets, Wilson, Carroll, Madison, White and Loudon voted aye. Motion declared carried.

Wilson moved seconded by White to approve temporary street closings requested by C.A.R.E. for the Doggie Dash Fun Run/Walk on Saturday, June 6, from 8:00 a.m. – 10:00 a.m. Loudon, Lybarger, Koets, Wilson, Carroll, Madison and White voted aye. Motion declared carried.

Loudon moved seconded by Koets to approve a Noise Permit and give permission to hold tent revival meetings on June 14 and 21 from 6:00 p.m. – 8:30 p.m. at the corner of Hwy 34 and South Sumner Avenue. Wilson, Carroll, Madison, White, Loudon, Lybarger and Koets voted aye. Motion declared carried.

City Administrator asked that the scheduled Closed Session pursuant to Iowa Code 21.5(1)(j) be removed from the agenda.

Under Other Items, Cynthia Wolfe, co-owner of Upper-Crust Bakery, located at 201 W. Adams Street, asked what brought up the handicapped parking issue that the Council previously voted to have installed at each end of the 100 block of West Adams. Councilperson Wilson stated that she had different people bring it up to her. Ms. Wolfe asked if they would be able to move the spot from in front of her business to around the corner on Maple Street. The Public Works Department has been asked to hold off on painting the spaces until it can be checked into further. Council will take action at the meeting on June 2.

Councilperson Wilson also gave an update of the Uptown Parking Meeting that was held on May 18. It has been decided to continue with the two-hour parking from 9 a.m. – 6 p.m. It was recommended the signs be taken down at the parking lot located at Elm and Montgomery Street. This would then be opened up for 24-hour parking, but users would also have to be mindful when the Street Department has to clean snow from it. The other City-owned parking lot located at Elm and Adams Street is also available for parking.

Lybarger moved seconded by White to adjourn the meeting. All voted aye. Council adjourned at 6:46 p.m.

Mayor

Attest:

City Clerk

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	GENERAL FUND	TRISTAR BENEFIT ADMINISTRATORS	GRP 93001 PREMIUMS - JUN'1	7,728.17
			TOTAL:	7,728.17
POLICE PROTECTION	GENERAL FUND	GLOCK PROFESSIONAL, INC	GLOCK ARMORERS SCHOOL	195.00
		CARPENTER UNIFORM CO &	HANDCUFF POUCH-CARR	59.98
		GALLS INCORPORATED	ATAC BOOTS - ABELL	104.00
		WINDSTREAM	TELEPHONE	56.09
		PETTY CASH - POLICE	USPS - CERT MAIL	9.46
		POLICE LEGAL SCIENCES, INC.	RENEW POLICE LEGAL SCIENC	1,200.00
		PRAIRIE SOLID WASTE AGENCY	TIRE DISPOSAL	21.00
			TOTAL:	1,645.53
FIRE PROTECTION	GENERAL FUND	FREEMAN, LEE	REIMBURSE TRAVEL EXP & MIL	552.58
		AMERICAN TEST CENTER INC	ANN LADDER TEST L1	560.00
		WINDSTREAM	TELEPHONE	218.26
		CRESTON MOTOR SUPPLY INC	OIL FILTERS	9.18
			SWITCH, BATTERY, CABLE	302.40
		SERVICE TECHS INC	WEDEATER & ACCESSORIES	223.10
			TOTAL:	1,865.52
BUILDNG & HSNQ SAFETY	GENERAL FUND	WINDSTREAM	TELEPHONE	58.41
		GREATER REG MEDICAL CNTR	RANDOM DRUG SCREEN	28.00
		WAL-MART COMMUNITY	DIGITAL CAMERA	119.00
			TOTAL:	205.41
ANIMAL CONTROL	GENERAL FUND	KELLY TIRE & EXHAUST	2 TIRES, MOUNT, BAL, DISP	233.38
		WAL-MART COMMUNITY	BUG BOYB, MOUSE TRAP	31.84
			TOTAL:	265.22
AIRPORT	GENERAL FUND	WINDSTREAM	TELEPHONE	165.46
		ECHO GROUP INC	LIGHT BULBS	65.83
		PETTY CASH - AIRPORT	WALMART - TERMINAL SUPPLIE	29.18
			AKIN - CAULK TERMINAL WIND	4.06
			AKIN - TOILET FILL VALVE-	10.15
			WALMART - SOAP	5.22
		WEST AVIATION INC	PER FEO CONTRACT	1,354.17
			TOTAL:	1,634.07
LIBRARY SERVICES	GENERAL FUND	COPY SYSTEMS INC	COPIER MAINTENANCE	40.69
		WINDSTREAM	TELEPHONE	123.16
		INGRAM	BOOKS	26.81
			BOOKS	23.92
			BOOKS	266.03
			BOOKS	22.23
		MICROMARKETING LLC	AUDIOBOOKS	188.47
			AUDIOBOOKS	35.00
		WAL-MART COMMUNITY	FLAG POLE ROPE	6.47
			PAPER TOWELS, CARDSTOCK	19.41
			TOTAL:	752.19
PARKS	GENERAL FUND	AGRIVISION	SPINDLE	202.76
		CRESTON CITY WATER WORKS	WATER-BILL SEARS	6.35
			WATER-TAYLOR PARK	6.35
			WATER-MCKINLEY PARK	6.35
			WATER-MCKINLEY BALLFIELD	6.35
			WATER-HISTORICAL COMPLEX	9.07

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			WATER-CAMPGROUND	19.76
			WATER-MCKINLEY PARK	25.92
			WATER-SEARS COMPLEX	0.91
		WINDSTREAM	TELEPHONE	54.11
		ECHO GROUP INC	WIRE, TAP SCREW, BUSHING	5.41
			WIRE, TAP SCREW, BUSHING	274.34
			SHELTER WIRING SUPPLIES	36.66
			RETURN SHELTER ELEC PARTS	75.11
		PETTY CASH - RECREATION	TRUE VALUE - MOWER BLADE	18.99
		PRAIRIE SOLID WASTE AGENCY	TIRE DISPOSAL	32.00
		GARY KELLEY	SCREENS BILL SEARS	151.16
		RJ'S PORTABLES	PCRTAPOTTIES THRU JUNE	150.00
			TOTAL:	931.38
RECREATION	GENERAL FUND	BSN SPORTS	BASEBALL & SOFTBALL	234.24
		WINDSTREAM	TELEPHONE	58.41
		ECHO GROUP INC	BALLFIELD LIGHTBULB	50.74
		PETTY CASH - RECREATION	EMC-TUBING CUTTER, COUPLIN	27.68
			DESIGN TINE-SOCCER SHIRT	8.50
			TBALL REFUND - LONG	12.00
			TOTAL:	391.57
CEMETERY	GENERAL FUND	WINDSTREAM	TELEPHONE	56.09
		PETTY CASH - CEMETERY	TRUE VALUE-WEEDEATER STRIN	13.90
			FARM & HOME - DOUBLE SNAP	20.07
		SERVICE TECHS INC	GASKET, CARB, SHARP CHAIN	37.32
		SCHILDBERG CONSTRUCTION COMPANY INC	75.37T ROAD ROCK	906.64
			TOTAL:	1,034.02
SWIMMING POOL	GENERAL FUND	ACCO UNLIMITED CORPORATION	HANDICAP POOL LIFT	945.00
			CHLORINE, ACID, STABLE, TEST	1,413.85
		ZEE MEDICAL INC	RESTOCK FIRST AID KIT	137.30
		WINDSTREAM	TELEPHONE	37.79
			TOTAL:	2,533.94
ECONOMIC DEVELOPMENT	GENERAL FUND	K & J HARDWARE INC	NICKLE CLEAT, LIGHT BULB	12.24
			TOTAL:	12.24
FINANCIAL ADMINISTRATN	GENERAL FUND	ACCESS TECHNOLOGIES INC	MONTHLY CONTRACT-MAY	845.63
		INFO DOG SECURITY, LLC	SHRED SERVICE- MAY'15	30.00
		WILLIAMSON, LISA	REIMBURSE MILES - SWICCA M	74.06
		CRESTON CHAMBER OF COMMERCE	4TH ANNUAL FUNDING	3,125.00
		CRESTON CITY WATER WORKS	WATER - 1707 W. ADAMS	9.07
		WINDSTREAM	TELEPHONE	246.76
		ALLIANT ENERGY-INT PWR&LGHT	1707 W ADAMS ELEC & GAS	27.08
		SOUTHERN PRAIRIE YMCA	SEMI-ANNUAL SCHOLARSHIP PM	5,000.00
			TOTAL:	9,457.60
LEGAL SERVICES	GENERAL FUND	KENYON & NIELSEN PC-ATTYS AT LAW	PROF. SVCS - APR & MAY'15	300.00
			PROF. SVCS - CELL TOWER	40.00
			TOTAL:	340.00
CITY HALL	GENERAL FUND	MIDLAND RESTORATION COMPANY, INC.	DEPOT MASONRY REPAIRS	42,669.41
		CRESTON CITY WATER WORKS	WATER-CITY HALL	29.81
		GREEN VALLEY PEST CONTROL	ANNUAL TERMITE INSPECTION	70.00
			TOTAL:	42,769.25

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
COMMUNITY CENTER MAINT	COMMUNITY CENTER	SOUTHERN PRAIRIE YMCA	SEMI-ANN MAINTENANCE PMT	9,500.00
			TOTAL:	9,500.00
NON-DEPARTMENTAL	ROAD USE TAX	TRISTAR BENEFIT ADMINISTRATORS	GRP 93001 PREMIUMS - JUN'1	1,505.70
			TOTAL:	1,505.70
ROAD MAINTENANCE	ROAD USE TAX	ARAMARK UNIFORM & CAREER APPAREL GROUP	LAUNDRY SERVICE	28.50
		ARNOLD MOTOR SUPPLY, LLP	1 CS GREASE	32.90
		CRESTON CITY WATER WORKS	WATER-CITY BARN	9.07
			WATER-CITY SHOP	51.84
		DIAMOND VOGEL PAINTS	5YEL, 10WHT, 3 THINNER	1,865.95
		ZEE MEDICAL INC	STOCK FIRST AID CABINET	52.30
		WINDSTREAM	TELEPHONE	178.12
		GREATER REG MEDICAL CNTR	RANDOM DRUG SCREEN	244.00
		ECHO GROUP INC	OUTLET, BREAKER	99.63
		IOWA PRISON INDUSTRIES	2HR PARKING SIGNS	286.00
			HADICAP PARK SIGNS, FRT	95.20
		CRESTON MOTOR SUPPLY INC	FILTERS	88.84
			HOSE, FITTING, BULB	248.77
		O'HALLORAN INTERNATIONAL INC	GAUGE AIR FILTER, FRT	49.65
			LOWER MIRROR MOUNT#32	50.92
		SERVICE TECHS INC	GASKET, CARB, SHARP CHAIN	16.00
		PRAIRIE SOLID WASTE AGENCY	TIRE DISPOSAL	11.00
		TRANS-IOWA EQUIPMENT, INC	DIRTSHOES, DEFLECTOR, FRT	177.88
			TOTAL:	3,586.57
ADMIN-STREETS (ENGINR)	ROAD USE TAX	WINDSTREAM	TELEPHONE	58.41
			TOTAL:	58.41
SELF FUNDING INSURANCE	PAYROLL TAX BENEFIT	TRISTAR BENEFIT ADMINISTRATORS	GRP 93001 PREMIUMS - JUN'1	15,069.23
			TOTAL:	15,069.23
MC KINLEY PARK RENOVAT	RESTRICTED GIFTS-M	KAWA, JOHN	REMODEL NORTH RESTROOM	9,200.00
			TOTAL:	9,200.00
LIBRARY (RESTRICTED GIF	RESTRICTED GIFTS-L	MARGARET MANDY GAULT HOUK	MONTHLY CONTRACT	3,720.00
		CADY, JAMES F. JR.	SUMMER READING PROGRAM	350.00
		GALE CENGAGE LEARNING	DISTRIBUTION	21.00
			CHRISTIAN FICTION	94.46
			EDITORS CHOICE	201.53
			GENTLE ROMANCE	89.96
			MYSTERY SAMPLER	47.98
			WESTERN HARD COVER	98.39
			WESTERN SOFT COVER	54.96
			DISTRIBUTION	87.00
		INGRAM	BOOKS	85.55
			ISSB BOOKS	31.57
			COUNTY - TEENS	9.00
			BOOKS	17.98
			ISSB BOOKS	16.07
		SWCC	REIMB. PROG FOOD	500.00
			TOTAL:	5,425.45
NON-DEPARTMENTAL	SEWER OPERATING FUND	TRISTAR BENEFIT ADMINISTRATORS	GRP 93001 PREMIUMS - JUN'1	558.78
			TOTAL:	558.78

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT		
SANITARY SEWER/WASTWTR	SEWER OPERATING FU	CRESTON CITY WATER WORKS	WATER- WWTP	221.96		
		WINDSTREAM	TELEPHONE	430.60		
		HACH COMPANY	SODIUM THIOSULFATE	19.05		
		HD SUPPLY WATERWORKS LTD.	MANHOLE LIDS & CASTINGS	300.00		
			3 STORMWATER GRATES	580.27		
		ECHO GROUP INC	LIGHT BULBS	61.80		
		CRESTON MOTOR SUPPLY INC	AIR FILTER	13.26		
		NORTHERN BALANCE & SCALE INC	FRT ON INV95076	20.00		
		PETTY CASH - SANITATION	SMOKEY D'S - LUNCH	8.00		
			SMOKEY D'S BBQ - LUNCH	8.00		
		QUALITY CONTROL EQUIPMENT CO	SAMPLER REPAIR	854.90		
		UPS	POSTAGE	34.43		
			POSTAGE	19.41		
		USA BLUE BOOK	PEN RECORDERS	87.65		
		VEENSTRA & KIMM INC	NORTH SIDE SWR REHAB	1,438.75		
			TOTAL:	4,093.08		
		ANIMAL CONTROL	ANIMAL SHELTER *AG	CRESTON VET CLINIC PC	CREDIT DISCOUNT ---APR'15	359.40-
					IED CAT-KELLY/WILLIAMS	100.00
					EXAM,XRAY,SPLINT DOG	535.95
					VACC DOG - FIZER	42.55
SOUTHERN HILLS VET SVC INC	TEST & VAC 2 POUND CATS			124.00		
	TOTAL:			443.10		

===== FUND TOTALS =====

001	GENERAL FUND	71,566.11
006	COMMUNITY CENTER	9,500.00
110	ROAD USE TAX	5,150.68
112	PAYROLL TAX BENEFIT	15,069.23
166	RESTRICTED GIFTS-MCKNLY P	9,200.00
167	RESTRICTED GIFTS-LIBRARY	5,425.45
610	SEWER OPERATING FUND	4,656.86
953	ANIMAL SHELTER *AGENCY FU	443.10
GRAND TOTAL:		121,011.43

CITY OF CRESTON
MANUAL CHECKS/DEBITS - PERIOD ENDING 6/02/15

SELF FUNDING INSURANCE

TRISTAR BENEFIT	INV CHECK RUN	21,327.71
TRISTAR BENEFIT	INV CHECK RUN	8,074.18
SELF FUNDING INSURANCE	TOTAL	29,401.89

FINANCE DEPARTMENT

UNION COUNTY RECORDER	RECORDING FEES	13.50
FINANCE DEPARTMENT	TOTAL	13.50

BUILDING DEPARTMENT

UNION COUNTY RECORDER	RECORDING FEES	40.50
BUILDING DEPARTMENT	TOTAL	40.50

DEBT SERVICE

IOWA FINANCE AUTHORITY	SRF LOAN#1	60,555.00
IOWA FINANCE AUTHORITY	SRF LOAN#2	165,671.25
IOWA FINANCE AUTHORITY	SRF LOAN#3	55,081.25
IOWA FINANCE AUTHORITY	SRF LOAN#4	53,230.00
DEBT SERVICE	TOTAL	334,537.50

MANUAL CHECKS/DEBITS TOTAL

363,993.39

FUND TRANSFERS FOR PERIOD ENDING:

06/03/15
POSTING DATE

THE FOLLOWING TRANSFERS ARE SCHEDULED TO BE MADE AFTER COUNCIL APPROVAL:

AMOUNT	FROM	TO	-G/L ACCT-	DR	CR
\$ 5,000.00	126 TIF-JAMES SBDV(25%-LMI) FOR: YMCA SEMI-ANNUAL SCHOLARSHIPS VENDOR: SOUTHERN PRAIRIE YMCA	001 GENERAL FUND	126 3-6910	5,000.00	
			001 3-4830		5,000.00
			126 1110		5,000.00
			001 1110	5,000.00	
\$ 807.28	009 HOTEL-MOTEL TAX FOR: VISITOR CENTER UTILITIES VENDOR: UNION CO DEVELOPMENT CORP	001 GENERAL FUND	009 3-6910	807.28	
			001 3-4830		807.28
			009 1110		807.28
			001 1110	807.28	

MEMORANDUM

TO: Creston Mayor and City Council

From: Creston Planning and Zoning Commission

SUBJECT: South Cottonwood Urban Renewal Plan and Amendment #2 to James Subdivision Urban Renewal Plan

DATE: May 12, 2015

The Creston Planning and Zoning Commission met on May 12, 2015 at 5:30 p.m. in City Hall to discuss the proposed South Cottonwood Urban Renewal Plan (and the associated Amendment #2 to the James Subdivision Urban Renewal Plan, which removes land from the James Subdivision URA for the new South Cottonwood Plan Area) and the Plan's compatibility to the City of Creston's Comprehensive Plan 2001 – 2021 (general plan). Following discussion a motion was made by Foster, seconded by Lyell-Keate to forward a recommendation to the Creston City Council endorsing the Plan and the Amendment #2 and its conformity to the City's comprehensive plan for the development of the city as a whole. The recommendation is subject to and contingent upon the Developer requesting a re-zoning of the land from a "R-1 Single-Family Residential District" to "R-2 Family or Multiple Family Residential District".

(List the Commissioners names followed by their vote)

• Rick Foster	Yes <u>X</u>	No <u> </u>	
• BrendaLee Lyell-Keate	Yes <u>X</u>	No <u> </u>	
• Martin Shawler	Yes <u>X</u>	No <u> </u>	
• Jerry White	Yes <u> </u>	No <u> </u>	Absent <u>X</u>
• Trudy La Rosee	Yes <u>X</u>	No <u> </u>	

Signed: Martin Shawler
Chairperson, Creston Planning and Zoning Commission

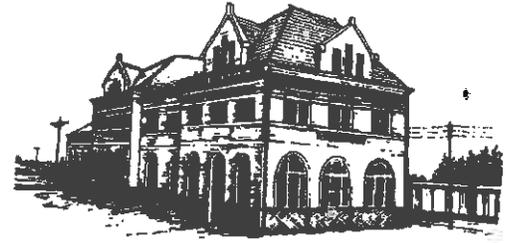
5-12-15
Date

Attest:

Kevin Kruse
Kevin Kruse, Zoning Administrator

City of
CRESTON, IOWA

116 W. Adams • P.O. Box 449 • Creston, IA 50801-0449
Phone 641-782-2000 • Fax 641-782-6377



Creston's Restored Depot and City Hall

Planning and Zoning Commission
Meeting Minutes
May 12, 2015

The Planning and Zoning Commission meeting was called to order by Chairperson Shawler at the Creston City Council Chambers at 5:30 p.m.

Members present: Martin Shawler, Trudy LaRossee, Rick Foster and Brenda Lyell-Keate.
Member absent was Jerry White

Also present was Kevin Kruse; Zoning Administrator, Mike Bruce; Building Inspector, Mayor Woods, Councilperson Rich Madison, City Administrator; Mike Taylor, Tim Ostroski; SICOG and several persons from the public.

The first item was consideration of South Cottonwood Urban Renewal Plan and Amendment #2 to the James Subdivision Urban Renewal Plan.

Tim Ostroski addressed the Commission explaining the plans. Tim explained that Amendment #2 to the James Subdivision plan is removing some land from the original, as amended, James Subdivision Urban Renewal Plan. The area of land removed from the plan is everything south of the James Subdivision except the right of ways of Cottonwood Street and Adams Street.

The South Cottonwood Urban Renewal Plan is for an area located north and east of the intersection of Cottonwood Street and Adams Street intersection as shown in the *South Cottonwood Residential Urban Renewal Area, June 2015 Plan*.

The plans are in conformance with the City's Comprehensive Plan. These urban renewal plans are necessary for the development of the Cottonwood Subdivision. After due consideration Foster moved and Lyell-Keate seconded a motion recommending to the Creston City Council that the South Cottonwood Urban Renewal Plan and Amendment #2 to the James Subdivision Urban Renewal Plan be approved. On a roll call vote all present voted aye.

A Public Hearing was then held for a Conditional Use Permit request for a church use to be located at 124 N Maple Street. This area is zoned C-1 Commercial.

Pastor JoAnna Davis, God's Outreach Deliverance International Church, explained that along with the church, her office is in the building and that they use the building for food assistance and housing assistance for the community. She stated that they do not own the building or have anything to do with the apartments that are upstairs.

Ed Thompson asked if the building, because it was being used as a church, would still be paying property taxes. It was explained that since the church did not own the building that property taxes would still be paid. A question was asked if the church use meets all fire codes, Pastor Davis stated that she thought that the Fire Department had looked at the building.

Mike Coen spoke against the church use stating he thought that the uptown area should be kept retail.

Joyce Franklin spoke against the request and presented the Commission with a petition from 24 other uptown business owners requesting that the Conditional Use Permit be denied.

Bob Cottrell, Janelle Kretz and Leilani King also spoke against the request.

Wayne Feldhacker, Jack Willis and Denise Willis all spoke in favor of the request, stating that the church's service times do not interfere with normal business hours and that the church brings many people to the uptown area. Mr. Willis stated that the church that they didn't realize that they were not in conformance with City Code when they moved into the building.

The Public Hearing was called to a close. After due consideration Foster moved and Lyell-Keate seconded to recommend to the City Council that the request for a Conditional Use Permit be denied. On a roll call vote all present voted in favor of the motion.

The meeting was adjourned at 6:30 p.m.

Respectfully submitted,



Kevin Kruse
Board Secretary

Instr. Number: 2015-00000795
BK: 1100 PG: 303
Recorded: 5/13/2015 at 2:00:44.0 PM
Fee Amount: \$12.00
Transfer Tax:
Union County, Iowa
Paula White - Recorder

Prepared by: Kevin W. Kruse, Zoning Administrator City of Creston, 116 W. Adams St., Creston, IA. 50801 (641)-782-2000
Return to: Lisa Williamson, 116 W. Adams St. Creston, IA 50801

RESOLUTION

RESOLUTION TO RECOMMEND TO THE CRESTON CITY COUNCIL THAT THE SOUTH COTTONWOOD URBAN RENEWAL PLAN AND AMENDMENT #2 TO THE JAMES SUBDIVISION URBAN RENEWAL PLAN BE APPROVED

WHEREAS, the Planning and Zoning Commission met on May 12th, 2015 at 5:30 p.m. for the purpose of determining whether the South Cottonwood Urban Renewal Plan and Amendment #2 to the James Subdivision Urban Renewal Plan should be approved.

WHEREAS, Tim Ostroski from the Southern Iowa Council of Governments was present to explain that these plans are essential for the development of the Cottonwood Subdivision.

WHEREAS, both plans are in conformance with the City of Creston's Comprehensive Plan 2001 – 2021.

WHEREAS, this approval is subject to and contingent upon the Developer requesting re-zoning of the land from R-1 Single Family District to R-2 Multiple Family District.

WHEREAS, after due consideration the Planning and Zoning Commission recommends to the Creston City Council that the South Cottonwood Urban Renewal Plan and Amendment #2 to the James Subdivision Urban Renewal Plan should be approved.

BE AND IT IS RESOLVED that the Planning and Zoning Commission hereby recommends to the Creston City Council that the South Cottonwood Urban Renewal Plan and Amendment #2 to the James Subdivision Urban Renewal Plan should be approved.

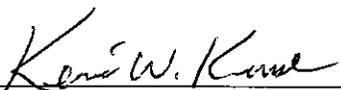
BE AND IT IS FURTHER RESOLVED, that the Chairman and Secretary are hereby authorized to execute the proper documentation necessary.

BE AND IT IS FURTHER RESOLVED, that any resolution in conflict herewith is hereby repealed.

PASSED AND APPROVED this 12th day of May, 2015.


MARTIN SHAWLER, CHAIRPERSON

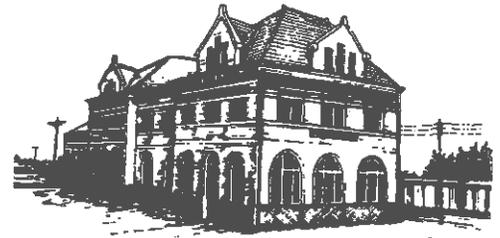
ATTEST:


KEVIN W. KRUSE, SECRETARY

ROLL CALL VOTE	AYE	NAY	ABSENT	ABSTAIN
Martin Shawler	X			
Trudy LaRossee	X			
Rick Foster	X			
BrendaLee Lyell-Keat	X			
Jerry White			X	

City of
CRESTON, IOWA

116 W. Adams • P.O. Box 449 • Creston, Iowa 50801-0449
Phone 641-782-2000 • Fax 641-782-6377



Creston's Restored Depot and City Hall

May 13, 2015

Ref: Consultation Meeting – Amendment #2 to James Addition Urban Renewal Plan and South Cottonwood Urban Renewal Plan.

Date of Consultation Meeting: May 13, 2015

Start Time: 2:00 PM

End Time: 2:20 PM

Place: Creston City Hall – Council Chambers

In attendance: Mike Taylor, City Administrator; Tim Ostroski, SICOG; Theresa Pudenz, Union County Assessor.

Theresa was representing her department (Union County Assessor). No representative from the school attended. Tim explained the reason for the amendment to James URP and the creation of the South Cottonwood URP and reviewed the map of the area with Theresa. The Amendment to the James URP and the South Cottonwood URP were generally discussed.

Tim and Mike discussed the need for the county and school to consent to an additional five years for the collection of tax increment.

Since representatives from the Creston Community School District and the County of Union were not present Taylor will hand deliver two copies of the "Agreement" to each entity and ask that each taxing entity place this on the next agenda for approval by the respective boards, and authorize signature and have notarized, then return two copies to Creston City Hall.

Reported by: Mike Taylor

A handwritten signature in black ink that reads "M. Taylor". The signature is written in a cursive style with a large initial "M" and a long, sweeping tail.

Date: May 13, 2015

(These agenda items should be incorporated with the other items in your regular agenda and posted/published as required.)

AGENDA ITEMS

Governmental Body: The City Council of the City of Creston, State of Iowa.
Date of Meeting: June 2, 2015.
Time of Meeting: 6:00 P.M.
Place of Meeting: Council Chambers, City Hall, 116 West Adams, Creston, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

James Subdivision Urban Renewal Plan

- Public hearing on the proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan
- Resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the Amendment No. 2 to the James Subdivision Urban Renewal Plan
- Consideration of Ordinance for the division of revenues under Iowa Code Section 403.19 for Amendment No. 2 to the James Subdivision Urban Renewal Plan

Such additional matters as are set forth on the additional _____ page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

City Clerk, City of Creston, State of Iowa

June 2, 2015

The City Council of the City of Creston, State of Iowa, met in _____ session, in the Council Chambers, City Hall, 116 West Adams, Creston, Iowa, at 6:00 P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan, the Mayor first asked for the report of the City Administrator, or his delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Plan. The Council was informed that the consultation was duly held as ordered by the Council, and that _____ written recommendations were received from affected taxing entities. The report of the City Administrator, or his delegate, with respect to the consultation was placed on file for consideration by the Council.

The City also was informed that the proposed Amendment had been approved by the Planning and Zoning Commission as being in conformity with the general plan for development of the City as a whole, as set forth in the minutes or report of the Commission. The report or minutes were placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written objections had been filed with respect to the proposed Amendment, and the City Clerk reported that _____ written objections thereto had been filed. The Mayor then called for any oral objections to the adoption of the Amendment No. 2 to the James Subdivision Urban Renewal Plan and _____ were made. The public hearing was then closed.

{Attach summary of objections here}

Council Member _____ then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 2 TO THE JAMES SUBDIVISION URBAN RENEWAL PLAN" and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. _____

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING AMENDMENT NO. 2 TO THE JAMES SUBDIVISION URBAN RENEWAL PLAN

WHEREAS, by Resolution No. 133, adopted May 5, 1998, this Council found and determined that certain areas located within the City are eligible and should be designated as an urban renewal area under Iowa law, and approved and adopted the James Subdivision Urban Renewal Plan (the "Plan" or "Urban Renewal Plan") for the James Subdivision Urban Renewal Area (the "Urban Renewal Area" or "Area") described therein, which Plan is on file in the office of the Recorder of Union County; and

WHEREAS, by Resolution No. 101, adopted December 5, 2006, this City Council approved and adopted an Amendment No. 1 to the Plan (which removed land); and

WHEREAS, this Resolution proposes to remove additional land from the Area; and

WHEREAS, this Urban Renewal Area currently includes and consists of:

ORIGINAL AREA

Adams Street from Park Street to Cottonwood; Cottonwood from Adams Street to Townline Road; Townline Road from Cottonwood to Lincoln Street; Lincoln Street from Townline Road to Spencer; Spencer as if extended one (1) block to Park Street; Park Street from extension of Spencer to Adams Street, within the city limits of the City of Creston, County of Union, State of Iowa;

AND

AMENDMENT NO. 1 AREA (removed)

Lot 1B, James Subdivision, with all land completely within the City limits of the City of Creston, County of Union, State of Iowa; including all adjacent and contiguous rights-of-way; and

WHEREAS, a proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan ("Amendment No. 2" or "Amendment") for the James Subdivision Urban Renewal Area has been prepared, which proposed Amendment has been on file in the office of the City Clerk and

which is incorporated herein by reference, the purpose of which is to remove land from the Area in order to form the South Cottonwood Residential Urban Renewal Area; and

WHEREAS, this proposed Amendment No. 2 to the Urban Renewal Plan removes land, as follows:

AMENDMENT NO. 2 AREA (removed)

Beginning at the SW corner of the intersection of Park Street and Adams Street, thence north along and extending the west right of way line of Park Street to the north right of way line of Spencer Street also being the north line of the SE ¼ of Section 2, thence west along the north line of the SE ¼ of Section 2 to the centerline of Cottonwood Street also being the west line of the SE ¼ of Section 2, thence south along the west line of the SE ¼ of Section 2 to the south right of way line of Adams Street, thence east along the south right of way line of Adams Street to point of beginning. EXCEPT that portion of Cottonwood Street lying east of centerline between the north line of the SE ¼ of Section 2 and Adams Street and all the right of way of Adams Street lying between the centerline of Cottonwood Street and the west right of way line of Park Street included in the original area. All located within the city limits of Creston, Union County, Iowa 2-72-31

Removing Parcels

- Parcel ID - 2401049001900
- Parcel ID - 2401049002000
- Parcel ID - 2401049002100
- Parcel ID - 2401049009400
- Pt. Parcel ID - 2401049009200
- Pt. Parcel ID - 2401049009100
- Parcel ID - 2401049006500
- Parcel ID - 2401049006510
- Parcel ID - 2401049006550
- Parcel ID - 2501000002000
- Parcel ID - 2501000001950
- Parcel ID - 2501000001900
- Parcel ID - 2501000001925
- Parcel ID - 2401069001000
- Parcel ID - 2401069001100
- Parcel ID - 2401069001200
- Parcel ID - 2401049006300
- Parcel ID - 2401049006400
- Parcel ID - 2401049006360
- Parcel ID - 2401049006395
- Parcel ID - 2401049002150
- Parcel ID - 2401049002200
- Parcel ID - 2401049002300

Parcel ID - 2401049002350

Parcel ID - 0501000000000

There are some parcels that will be removed from the James Subdivision Urban Renewal Area that are unnumbered and unidentified; and

WHEREAS, it is desirable that the Area be redeveloped as part of the activities described within the proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan and the Amendment No. 2 Area has never been developed, and accordingly, has not been part of an urban renewal project for housing; and

WHEREAS, the Iowa statutes does not require the City Council to submit the proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole, prior to City Council approval thereof; however, the City submitted the proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan to the Planning and Zoning Commission for its written recommendations thereon to the Council; and

WHEREAS, adoption of Amendment No. 2 to the James Subdivision Urban Renewal Plan has been approved by the Planning and Zoning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on May 5, 2015, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the City Administrator, or his delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Creston News-Advertiser, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due

consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CRESTON, STATE OF IOWA:

Section 1. That the findings and conclusions set forth or contained in Amendment No. 2 concerning the area of the City of Creston, State of Iowa, described in the preamble hereof, be and the same are hereby ratified and confirmed in all respects as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the James Subdivision Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Plan, as amended, and Amendment No. 2 to the James Subdivision Urban Renewal Plan conform to the general plan for the development of the City as a whole; and

c) Acquisition by the City is not immediately expected, however, as to any areas of open land to be acquired by the City included within the James Subdivision Urban Renewal Area:

i. Residential use is expected and with reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is not expected, however, with reference to any portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the James Subdivision Urban Renewal Area, as amended, continues to be an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That Amendment No. 2 to the James Subdivision Urban Renewal Plan of the City of Creston, State of Iowa, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as "Amendment No. 2 to the James Subdivision Urban Renewal Plan for the City of Creston, State of Iowa"; Amendment No. 2 to the James Subdivision Urban Renewal Plan of the City of Creston, State of Iowa, is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of Amendment No. 2 with the proceedings of this meeting.

Section 5. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the original James Subdivision Urban Renewal Plan, and the Plan as amended, shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. The proposed Amendment No. 2 to the James Subdivision Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Union County, Iowa, to be filed and recorded in the manner provided by law.

Section 6. That all other provisions of the Plan not affected or otherwise revised by the terms of Amendment No. 2, as well as all resolutions previously adopted by this City Council related to the Plan be and the same are hereby ratified, confirmed and approved in all respects.

**CRESTON URBAN RENEWAL AREA
JAMES SUBDIVISION
June 2015
Amendment #2**

City of Creston, Iowa



This AMENDED Urban Renewal Plan provides for the development of the Creston Urban Renewal Area originally established by Resolution #133 by the Creston City Council on May 5, 1998, and subsequently amended Resolution #101 on December 5, 2006.

May 1998, Original
December 2006, Amendment #1
June 2015, Amendment #2



TABLE OF CONTENTS

INTRODUCTION.....	1
OVERVIEW AND URBAN RENEWAL PROJECT COSTS.....	1
DEVELOPMENT PLAN.....	1
AREA BOUNDARIES.....	2
FINANCIAL DATA.....	2
EFFECTIVE DATE.....	2
AMENDING THE PLAN.....	2
SEVERABILITY.....	3

EXHIBITS

EXHIBIT A – LEGAL DESCRIPTION OF EXISTING AREA.....	4
EXHIBIT B - LEGAL DESCRIPTION OF AMENDMENT #2.....	5
EXHIBIT C – EXISTING BOUNDARY MAP.....	6
EXHIBIT D - URBAN RENEWAL AREA AFTER AMENDMENT #2.....	7

Introduction

This URBAN RENEWAL AMENDMENT 2 (“Amendment #2” or Amendment) has been prepared for the James Subdivision Urban Renewal Area, a.k.a. R-133 as authorized by Resolution of the City Council of Creston. Its intent is to decrease the size of the original district. The James Subdivision Urban Renewal Area (“Area”) was originally adopted by the City of Creston in May of 1998. In 2006 Amendment #1 decreased the size of the original Area, expanded upon the residential purposes of the James Subdivision Urban Renewal Plan (“Plan”), and modified the effective period of the Plan.

The purpose of this Amendment #2 is to decrease the size of the original Area. Descriptions of the area being removed as a result of this amendment, and the Urban Renewal Area, as amended, are attached as Exhibit B and illustrated on Exhibit D. The area being removed is referred to as the “Amendment #2 Area”. Part of the Amendment #2 Area being deleted will form the new South Cottonwood Urban Renewal Area. The Amendment #2 Area has never had an urban renewal project built upon it and is expected to be developed as a townhome project. The base value of the original Area was the valuation in place as of January 1, 1997. The base value of the original area, as amended, will be reduced due to the land being removed by this Amendment.

Except as modified by this Amendment, the provisions of the original James Subdivision Area Plan are hereby ratified, confirmed and approved, and shall remain in full force and effect as provided herein.

Overview and Urban Renewal Project Costs

This James Subdivision Urban Renewal Area also known as the Urban Renewal Area R-133, as amended, is designed to address specific goals of economic development and to assist City leaders in fulfilling objectives as identified in the City of Creston’s Comprehensive Plan. Adoption of the Urban Renewal Plan Amendment will allow City leaders to continue to encourage public/private investment in economic activities and also assist in the creation of a better quality of life for the community.

The City has prior urban renewal project costs that continue to be reimbursed from Tax Increment. The City may have expenses associated with existing infrastructure, planning and legal expenses associated with this Amendment, for which the City may use tax incremented generated within the Area, as amended. The expected total amount to be reimbursed from incremental taxes is no more than \$25,000.

Development Plan

Creston has a general plan for the physical development of the City outlined in the City’s Comprehensive Plan and last updated June 4, 2002. The goals, objectives and projects of this Amendment #2 are in conformity with the general plan for the municipality as a whole, which is the “Creston Comprehensive Plan 2001-2021”.

This Urban Renewal Plan does not in any way replace the City’s current land use planning or zoning regulation process.

Area Boundaries

A legal description of the Existing Area included in the Plan can be found in Exhibit A – Legal Description Existing Area. A legal description of the area being deleted by this Amendment #2 can be found in Exhibit B – Legal Description Amendment #2.

The boundaries of the existing Urban Renewal Area are delineated on the URBAN RENEWAL AREA BOUNDARY MAP (Exhibit C). The boundaries of this amended (Amendment #2) Urban Renewal Area are delineated on the URBAN RENEWAL AREA BOUNDARY MAP (Exhibit D).

The City of Creston reserves the right to modify the boundaries of the James Subdivision Area, a.k.a. R-133 at some future date. Any future amendment to the Urban Renewal Plan will be completed in accordance with Chapter 403 of the Iowa Code, Urban Renewal Law.

Financial Data

FY 15 Valuation: \$315,464,973.

July 1, 2014 Constitutional debt limit: \$15,773,249.

Current outstanding general obligation debt: \$3,748,190.

Estimated Tax Increment to be used on Urban Renewal Projects: \$25,000

The area being excluded with Amendment #2 has had no development, no buildings have been erected, and no TIF revenue has ever been used from this area.

Effective Date

This Amendment #2 will become effective upon its adoption by the City Council. The decreased area of the City of Creston James Subdivision Area shall remain in full force for the period out lined in Amendment #1.

Except as modified by this Amendment, the provisions of the original Urban Renewal Plan, as well as, the provisions of Amendment #1 are hereby ratified, confirmed and approved, and shall remain in full force and effect as provided therein.

Amending The Plan

The City of Creston James Subdivision Area Urban Renewal Plan may be revisited and renewed in light of substantive changes within the City. The Urban Renewal Plan can be amended at any time to reflect changes within the Area including but not limited to, changing the Area boundaries; the goals and objectives of, and the types of, urban renewal activities, or to respond to changes in state legislation that pertain to land use, economic development or urban renewal. The City of Creston Council may make amendments to this plan by resolution after a public hearing is held on the proposed change in accordance with applicable state law.

Severability

In the event one or more provisions contained in this Plan shall be held for any reason to be invalid, illegal, unauthorized or unenforceable in any respect, such invalidity, illegality, non-authorization or unenforceability shall not affect any provision of this Plan and this Urban Renewal Plan shall be construed and implemented as if such provision had never been contained herein.

EXHIBIT A – LEGAL DESCRIPTION OF EXISTING AREA

Urban Renewal Area, as amended by Amendment #1, Resolution 101, December 5, 2006:

Adams Street from Park Street to Cottonwood; Cottonwood from Adams Street to Townline Road; Townline Road from Cottonwood to Lincoln Street; Lincoln Street from Townline Road to Spencer; Spencer as if extended one (1) block to Park Street; Park Street from extension of Spencer to Adams Street, within the city limits of the City of Creston, County of Union, State of Iowa; excepting therefrom:

Lot 1B, James Subdivision, with all land existing completely within the city limits of the City of Creston, County of Union, State of Iowa; including all adjacent and contiguous rights-of-way.

EXHIBIT B – LEGAL DESCRIPTION OF AMENDMENT #2

The Area being removed from the James Subdivision Urban Renewal Area is as Follows:

Amendment #2 Area

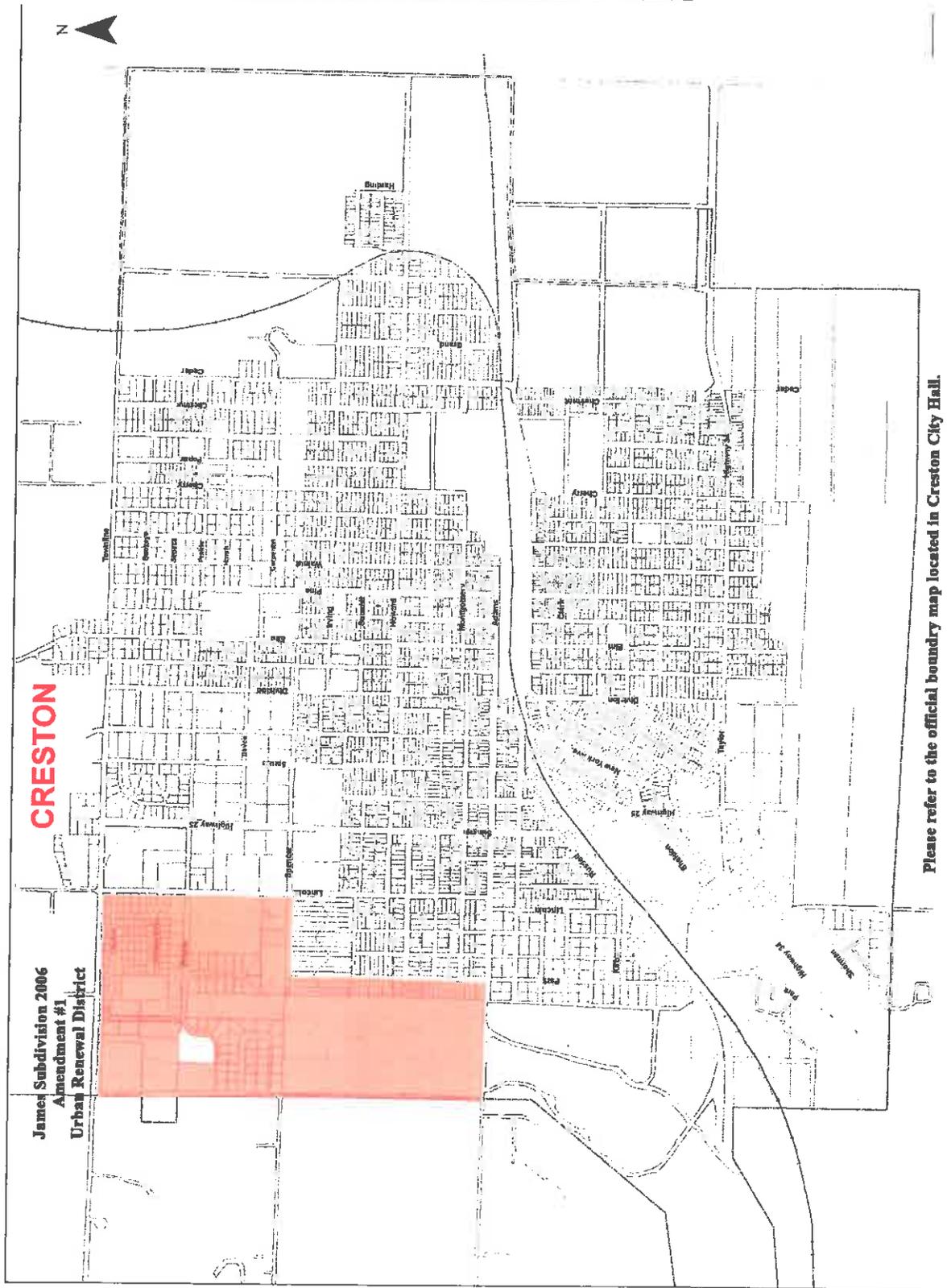
Beginning at the SW corner of the intersection of Park Street and Adams Street, thence north along and extending the west right of way line of Park Street to the north right of way line of Spencer Street also being the north line of the SE ¼ of Section 2, thence west along the north line of the SE ¼ of Section 2 to the centerline of Cottonwood Street also being the west line of the SE ¼ of Section 2, thence south along the west line of the SE ¼ of Section 2 to the south right of way line of Adams Street, thence east along the south right of way line of Adams Street to point of beginning. EXCEPT that portion of Cottonwood Street lying east of centerline between the north line of the SE ¼ of Section 2 and Adams Street and all the right of way of Adams Street lying between the centerline of Cottonwood Street and the west right of way line of Park Street included in the original area. All located within the city limits of Creston, Union County, Iowa 2-72-31

Removing Parcels

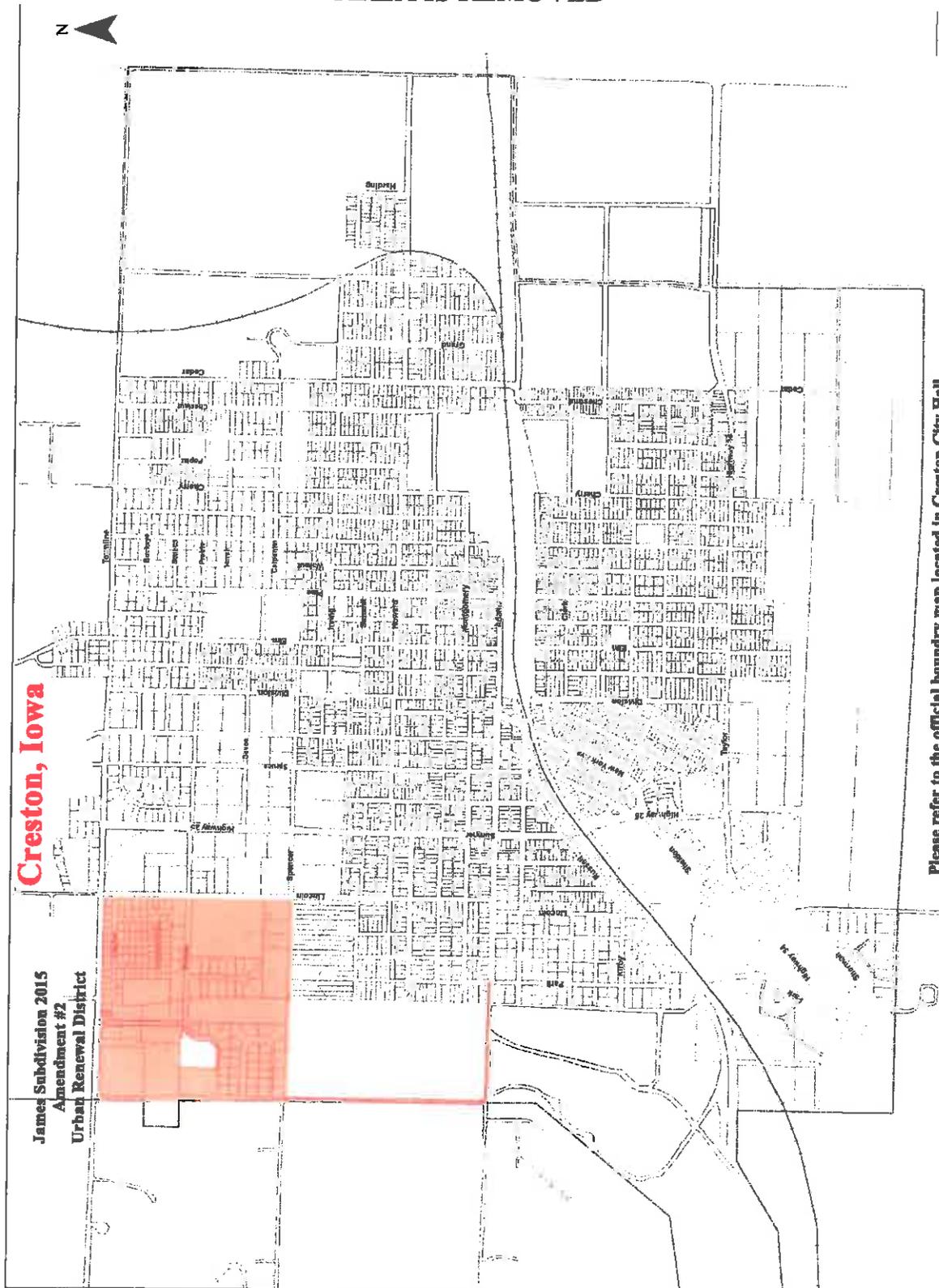
Parcel ID - 2401049001900
Parcel ID - 2401049002000
Parcel ID - 2401049002100
Parcel ID - 2401049009400
Pt. Parcel ID - 2401049009200
Pt. Parcel ID - 2401049009100
Parcel ID - 2401049006500
Parcel ID - 2401049006510
Parcel ID - 2401049006550
Parcel ID - 2501000002000
Parcel ID - 2501000001950
Parcel ID - 2501000001900
Parcel ID - 2501000001925
Parcel ID - 2401069001000
Parcel ID - 2401069001100
Parcel ID - 2401069001200
Parcel ID - 2401049006300
Parcel ID - 2401049006400
Parcel ID - 2401049006360
Parcel ID - 2401049006395
Parcel ID - 2401049002150
Parcel ID - 2401049002200
Parcel ID - 2401049002300
Parcel ID - 2401049002350
Parcel ID - 0501000000000

There are some parcels that will be removed from the James Subdivision Urban Renewal Area that are unnumbered and unidentified.

EXHIBIT C – EXISTING BOUNDARY MAP



**EXHIBIT D –
URBAN RENEWAL AREA AFTER AMENDMENT #2
AREA IS REMOVED**



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 06-98, PROVIDING THAT GENERAL PROPERTY TAXES LEVIED AND COLLECTED EACH YEAR ON ALL PROPERTY LOCATED WITHIN THE AMENDED JAMES SUBDIVISION URBAN RENEWAL AREA, IN THE CITY OF CRESTON, COUNTY OF UNION, STATE OF IOWA, BY AND FOR THE BENEFIT OF THE STATE OF IOWA, CITY OF CRESTON, COUNTY OF UNION, CRESTON COMMUNITY SCHOOL DISTRICT, AND OTHER TAXING DISTRICTS, BE PAID TO A SPECIAL FUND FOR PAYMENT OF PRINCIPAL AND INTEREST ON LOANS, MONIES ADVANCED TO AND INDEBTEDNESS, INCLUDING BONDS ISSUED OR TO BE ISSUED, INCURRED BY THE CITY IN CONNECTION WITH THE AMENDED JAMES SUBDIVISION URBAN RENEWAL AREA (AMENDMENT NO. 2 TO THE JAMES SUBDIVISION URBAN RENEWAL PLAN)

WHEREAS, the City Council of the City of Creston, State of Iowa, has heretofore, in Ordinance No. 06-98, provided for the division of taxes within the James Subdivision Urban Renewal Area, pursuant to Section 403.19 of the Code of Iowa; and

WHEREAS, territory now has been removed from the James Subdivision Urban Renewal Plan through the adoption of Amendment No. 2 to the James Subdivision Urban Renewal Plan; and

WHEREAS, indebtedness has been incurred by the City, and additional indebtedness is anticipated to be incurred in the future, to finance urban renewal project activities within the amended James Subdivision Urban Renewal Area, and the continuing needs of redevelopment within the amended James Subdivision Urban Renewal Area are such as to require the continued application of the incremental tax resources of the amended James Subdivision Urban Renewal Area; and

WHEREAS, the following enactment is necessary to accomplish the objectives described in the premises.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRESTON, STATE OF IOWA, THAT:

Ordinance Number 06-98 is hereby amended to read as follows:

Section 1. For purposes of this Ordinance, the following terms shall have the following meanings:

a) Original Area shall mean that portion of the City of Creston, State of Iowa, described in the Urban Renewal Plan for the James Subdivision Urban Renewal Area approved by Resolution No. 133 on the 5th day of May, 1998, which Original Area includes the lots and parcels located within the area legally described as follows:

Adams Street from Park Street to Cottonwood; Cottonwood from Adams Street to Townline Road; Townline Road from Cottonwood to Lincoln Street; Lincoln Street from Townline Road to Spencer; Spencer as if extended one (1) block to Park Street; Park Street from extension of Spencer to Adams Street, within the city limits of the City of Creston, County of Union, State of Iowa;

b) Amendment No. 1 Area shall mean that portion of the City of Creston, State of Iowa, described in Amendment No. 1 to the Urban Renewal Plan for the James Subdivision Urban Renewal Area approved by Resolution No. 101 on the 5th day of December, 2006, which Amendment No. 1 Area removes the lots and parcels located within the area legally described as follows:

AMENDMENT NO. 1 AREA (removed)

Lot 1B, James Subdivision, with all land completely within the City limits of the City of Creston, County of Union, State of Iowa; including all adjacent and contiguous rights-of-way.

c) Amendment No. 2 Area shall mean that portion of the City of Creston, State of Iowa, described in Amendment No. 2 to the Urban Renewal Plan for the James Subdivision Urban Renewal Area approved by Resolution No. _____ on the 2nd day of June, 2015, which Amendment No. 2 Area removes the lots and parcels located within the area legally described as follows:

AMENDMENT NO. 2 AREA (removed)

Beginning at the SW corner of the intersection of Park Street and Adams Street, thence north along and extending the west right of way line of Park Street to the north right of way line of Spencer Street also being the north line of the SE ¼ of Section 2, thence west along the north line of the SE ¼ of Section 2 to the centerline of Cottonwood Street also being the west line of the SE ¼ of Section 2, thence south along the west line of the SE ¼ of Section 2 to the south right of way line of Adams Street, thence east along the south right of way line of Adams Street to point of beginning. EXCEPT that portion of Cottonwood Street lying east of centerline between the north line of the SE ¼ of Section 2 and Adams Street and all the right of way of Adams Street lying between the centerline of Cottonwood Street and the west right of way line of Park Street included in the original area. All located within the city limits of Creston, Union County, Iowa 2-72-31

Removing Parcels

Parcel ID - 2401049001900
Parcel ID - 2401049002000
Parcel ID - 2401049002100
Parcel ID - 2401049009400

Pt. Parcel ID - 2401049009200
Pt. Parcel ID - 2401049009100
Parcel ID - 2401049006500
Parcel ID - 2401049006510
Parcel ID - 2401049006550
Parcel ID - 2501000002000
Parcel ID - 2501000001950
Parcel ID - 2501000001900
Parcel ID - 2501000001925
Parcel ID - 2401069001000
Parcel ID - 2401069001100
Parcel ID - 2401069001200
Parcel ID - 2401049006300
Parcel ID - 2401049006400
Parcel ID - 2401049006360
Parcel ID - 2401049006395
Parcel ID - 2401049002150
Parcel ID - 2401049002200
Parcel ID - 2401049002300
Parcel ID - 2401049002350
Parcel ID - 0501000000000

There are some parcels that will be removed from the James Subdivision Urban Renewal Area that are unnumbered and unidentified.

d) Amended Area shall mean that portion of the City of Creston, State of Iowa, included within the Original Area except the portion removed by Amendment No. 1 and except the portion removed by Amendment No. 2, which Amended Area includes the lots and parcels located within the area legally described in subparagraphs (a)-(c) above.

Section 2. The taxes levied on the taxable property in the Amended Area, legally described in Section 1 hereof, by and for the benefit of the State of Iowa, County of Union, Iowa, Creston Community School District, and all other taxing districts from and after the effective date of this Ordinance shall be divided as hereinafter in this Ordinance provided.

Section 3. As to the Amended Area (the Original Area less the Amendment No. 1 Area and less the Amendment No. 2 Area), that portion of the taxes which would be produced by the rate at which the tax is levied each year by or for each of the taxing districts taxing property in the Amended Area upon the total sum of the assessed value of the taxable property in the Amended Area as shown on the assessment roll as of January 1, 1997 shall be allocated to and when collected be paid into the fund for the respective taxing district as taxes by or for the taxing district into which all other property taxes are paid. The taxes so determined shall be referred herein as the "base period taxes" for such area.

Section 4. That portion of the taxes each year in excess of the base period taxes for the Amended Area, determined for each sub-area thereof as provided in Section 3 of this Ordinance, shall be allocated to and when collected be paid into the special tax increment fund previously

established by the City of Creston, State of Iowa, to pay the principal of and interest on loans, monies advanced to, or indebtedness, whether funded, refunded, assumed or otherwise, including bonds issued under authority of Section 403.9 or Section 403.12 of the Code of Iowa, incurred by the City of Creston, State of Iowa, to finance or refinance, in whole or in part, urban renewal projects undertaken within the Amended Area pursuant to the Urban Renewal Plan, as amended, except that (i) taxes for the regular and voter-approved physical plant and equipment levy of a school district imposed pursuant to Iowa Code Section 298.2 and taxes for the instructional support program of a school district imposed pursuant to Iowa Code Section 257.19 (but in each case only to the extent required under Iowa Code Section 403.19(2)); (ii) taxes for the payment of bonds and interest of each taxing district; (iii) taxes imposed under Iowa Code Section 346.27(22) related to joint county-city buildings; and (iv) any other exceptions under Iowa Code Section 403.19 shall be collected against all taxable property within the Amended Area without any limitation as hereinabove provided.

Section 5. Unless or until the total assessed valuation of the taxable property in the areas of the Amended Area exceeds the total assessed value of the taxable property in the areas shown by the assessment rolls referred to in Section 3 of this Ordinance, all of the taxes levied and collected upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts as taxes by or for the taxing districts in the same manner as all other property taxes.

Section 6. At such time as the loans, monies advanced, bonds and interest thereon and indebtedness of the City of Creston, State of Iowa, referred to in Section 4 hereof have been paid, all monies thereafter received from taxes upon the taxable property in the Amended Area shall be paid into the funds for the respective taxing districts in the same manner as taxes on all other property.

Section 7. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed. The provisions of this Ordinance are intended and shall be construed so as to continue the division of taxes from property within the Original Area (less the Amendment No. 1 Area and less the Amendment No. 2 Area) under the provisions of Section 403.19 of the Code of Iowa, as authorized in Ordinance No. 06-98, and to fully implement the provisions of Section 403.19 of the Code of Iowa with respect to the division of taxes from property within the Original Area less than Amendment No. 1 Area and less the Amendment No. 2 Area as described above. Notwithstanding any provisions in any prior Ordinances or other documents, the provisions of this Ordinance and all prior Ordinances relating to the Urban Renewal Area, as amended, shall be construed to continue the division of taxes from property within the Area to the maximum period of time allowed by Section 403.19 of the Code of Iowa. In the event that any provision of this Ordinance shall be determined to be contrary to law it shall not affect other provisions or application of this Ordinance which shall at all times be construed to fully invoke the provisions of Section 403.19 of the Code of Iowa with reference to the Amended Area and the territory contained therein.

Section 8. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this _____ day of _____, 2015.

Mayor

ATTEST:

City Clerk

Read First Time: _____, 2015

Read Second Time: _____, 2015

Read Third Time: _____, 2015

PASSED AND APPROVED: _____, 2015.

I, _____, City Clerk of the City of Creston, State of Iowa, hereby certify that the above and foregoing is a true copy of Ordinance No. _____ passed and approved by the City Council of the City at a meeting held _____, 2015, signed by the Mayor on _____, 2015, and published in the Creston News-Advertiser on _____, 2015.

City Clerk, City of Creston, State of Iowa

(SEAL)
01106568-1\10351-044

(These agenda items should be incorporated with the other items in your regular agenda and posted/published as required.)

AGENDA ITEMS

Governmental Body: The City Council of the City of Creston, State of Iowa.
Date of Meeting: June 2, 2015.
Time of Meeting: 6:00 P.M.
Place of Meeting: Council Chambers, City Hall, 116 West Adams, Creston, Iowa.

PUBLIC NOTICE IS HEREBY GIVEN that the above mentioned governmental body will meet at the date, time and place above set out. The tentative agenda for the meeting is as follows:

South Cottonwood Residential Urban Renewal Plan

- Public hearing on the proposed South Cottonwood Residential Urban Renewal Plan
- Resolution determining an area of the City to be an economic development area, and that the rehabilitation, conservation, redevelopment, development or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of the City; designating such area as appropriate for urban renewal projects; and adopting the South Cottonwood Residential Urban Renewal Plan (includes authorization for Agricultural Land Consent and Extension Agreement)

Such additional matters as are set forth on the additional _____ page(s) attached hereto.
(number)

This notice is given at the direction of the Mayor pursuant to Chapter 21, Code of Iowa, and the local rules of the governmental body.

City Clerk, City of Creston, State of Iowa

June 2, 2015

The City Council of the City of Creston, State of Iowa, met in _____ session, in the Council Chambers, City Hall, 116 West Adams, Creston, Iowa, at 6:00 P.M., on the above date. There were present Mayor _____, in the chair, and the following named Council Members:

Absent: _____

* * * * *

This being the time and place fixed for a public hearing on the matter of the adoption of the proposed South Cottonwood Residential Urban Renewal Plan, the Mayor first asked for the report of the City Administrator, or his delegate, with respect to the consultation held with the affected taxing entities to discuss the proposed Plan. The Council was informed that the consultation was duly held as ordered by the Council, and that _____ written recommendations were received from affected taxing entities. The report of the City Administrator, or his delegate, with respect to the consultation was placed on file for consideration by the Council.

The City also was informed that the proposed Plan had been approved by the Planning and Zoning Commission as being in conformity with the general plan for development of the City as a whole, as set forth in the minutes or report of the Commission. The report or minutes were placed on file for consideration by the Council.

The Mayor then asked the City Clerk whether any written objections had been filed with respect to the proposed Plan, and the City Clerk reported that _____ written objections thereto had been filed. The Mayor then called for any oral objections to the adoption of the South Cottonwood Residential Urban Renewal Plan and _____ were made. The public hearing was then closed.

{Attach summary of objections here}

Council Member _____ then introduced the following Resolution entitled "RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE SOUTH COTTONWOOD RESIDENTIAL URBAN RENEWAL PLAN" and moved that the same be adopted. Council Member _____ seconded the motion to adopt. The roll was called and the vote was,

AYES: _____

NAYS: _____

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO. _____

RESOLUTION DETERMINING AN AREA OF THE CITY TO BE AN ECONOMIC DEVELOPMENT AREA, AND THAT THE REHABILITATION, CONSERVATION, REDEVELOPMENT, DEVELOPMENT, OR A COMBINATION THEREOF, OF SUCH AREA IS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY OR WELFARE OF THE RESIDENTS OF THE CITY; DESIGNATING SUCH AREA AS APPROPRIATE FOR URBAN RENEWAL PROJECTS; AND ADOPTING THE SOUTH COTTONWOOD RESIDENTIAL URBAN RENEWAL PLAN

WHEREAS, this Council has reasonable cause to believe that the area described below satisfies the eligibility criteria for designation as an urban renewal area under Iowa law; and

WHEREAS, a proposed South Cottonwood Residential Urban Renewal Plan ("Plan" or "Urban Renewal Plan") for the South Cottonwood Residential Urban Renewal Area ("Area" or "Urban Renewal Area") described below has been prepared, which proposed Plan has been on file in the office of the City Clerk and which is incorporated herein by reference; and

WHEREAS, this proposed South Cottonwood Residential Urban Renewal Area includes and consists of:

LOT 1:

A PARCEL OF LAND LOCATED IN THE W ½ OF THE SE ¼ OF SECTION 2, TOWNSHIP 72 NORTH, RANGE 31 WEST OF THE 5TH PM, IN THE CITY OF CRESTON, UNION COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NW CORNER OF PARCEL "G" OF SAID SECTION 2; THENCE N0°7'41"W, ALONG THE EAST RIGHT-OF-WAY LINE OF COTTONWOOD STREET, 772.74 FEET; THENCE N89°52'19"E, 199.30 FEET; THENCE S45°7'41"E, 326.27 FEET; THENCE S0°7'41"E, 260.86 FEET; THENCE S60°14'55"E, 153.24 FEET; THENCE S0°7'31"W, 133.78 FEET; THENCE S16°20'27"W, 80.30 FEET TO THE NE CORNER OF SAID PARCEL "G"; THENCE N89°29'50"W, ALONG THE NORTH LINE OF SAID PARCEL "G", 539.55 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 7.776 ACRES MORE OR LESS.

LOT 2:

A PARCEL OF LAND LOCATED IN THE W ½ OF THE SE ¼ OF SECTION 2, TOWNSHIP 72 NORTH, RANGE 31 WEST OF THE 5TH PM, IN THE CITY OF CRESTON, UNION COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NW CORNER OF PARCEL "G" OF SAID SECTION 2; THENCE N0°7'41"W, ALONG THE EAST RIGHT-OF-WAY LINE OF COTTONWOOD STREET, 772.74 FEET; THENCE N89°52'19"E, 199.30 FEET; THENCE S45°7'41"E, 45.87 FEET TO THE POINT OF BEGINNING; THENCE N44°27'42"E, 165.97 FEET; THENCE S42°55'00"E, 180.61 FEET; THENCE S87°42'28"E, 94.31 FEET, THENCE, S0°07'31"W, 517.15 FEET; THENCE N60°14'55"W, 153.24 FEET; THENCE N0°7'41"W, 260.86 FEET; THENCE N45°7'41"W, 280.40 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 2.252 ACRES MORE OR LESS.

LOT 3:

A PARCEL OF LAND LOCATED IN THE W ½ OF THE SE ¼ OF SECTION 2, TOWNSHIP 72 NORTH, RANGE 31 WEST OF THE 5TH PM, IN THE CITY OF CRESTON, UNION COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NW CORNER OF PARCEL "G" OF SAID SECTION 2; THENCE N0°7'41"W, ALONG THE EAST RIGHT-OF-WAY LINE OF COTTONWOOD STREET, 772.74 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N0°7'41"W, ALONG THE EAST RIGHT-OF-WAY LINE OF COTTONWOOD STREET, 366.58 FEET; THENCE N89°52'19"E, 203.87 FEET; THENCE S0°7'41"E, 124.84 FEET; THENCE S42°55'00"E, 212.54 FEET; THENCE S44°27'42"W, 165.97 FEET; THENCE N45°07'41"W, 45.87 FEET; THENCE S89°52'19"W, 199.30 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 2.199 ACRES MORE OR LESS.

LOT 4:

PARCEL "G" OF SECTION 2, TOWNSHIP 72 NORTH, RANGE 31 WEST OF THE 5TH PM, IN THE CITY OF CRESTON, UNION COUNTY, IOWA.

LOT 5:

A PARCEL OF LAND LOCATED IN THE W ½ OF THE SE ¼ OF SECTION 2, TOWNSHIP 72 NORTH, RANGE 31 WEST OF THE 5TH PM, IN THE CITY OF CRESTON, UNION COUNTY, IOWA, AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NW CORNER OF PARCEL "G" OF SAID SECTION 2; THENCE N0°7'41"W, ALONG THE EAST RIGHT-OF-WAY LINE OF COTTONWOOD STREET, 1139.32 FEET; THENCE N89°52'19"E, 203.87 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°52'19"E, 187.74 FEET; THENCE S55°32'52"E, 379.75 FEET; THENCE S34°27'08"W, 245.11 FEET; THENCE N87°42'28"W, 94.31 FEET; THENCE N42°55'00"W, 393.15 FEET; THENCE N0°07'41"W, 124.84 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 2.785 ACRES MORE OR LESS.

The South Cottonwood Residential Urban Renewal Area also includes the full right-of-way of Adams Street and the right-of-way of Cottonwood Street that is owned by the City adjacent to the Area.

Once platted, the above property is anticipated to be described as Lots 1-5 of the to-be-named-Plat; and

WHEREAS, the proposed South Cottonwood Residential Urban Renewal Area includes land classified as agricultural land and consequently written permission of the current owner, the City, will be authorized by this Resolution; and

WHEREAS, it is desirable that the Urban Renewal Area be redeveloped as described in the proposed South Cottonwood Residential Urban Renewal Plan to be known hereafter as the "South Cottonwood Residential Urban Renewal Plan," specifically, the purpose of which is to form the South Cottonwood Residential Urban Renewal Area suitable for public improvements related to housing and residential development and to include a list of proposed projects to be undertaken within the Urban Renewal Area; the property within the South Cottonwood Residential Urban Renewal Area has never been developed, and accordingly, has not been part of an urban renewal project for housing; and

WHEREAS, in accordance with Iowa Code Section 403.22(5), the County and Creston Community School District have each agreed to extend the ability to collect tax increment and the City agrees that such extension is necessary, as described in the "Agreement By and Among the City of Creston, the County of Union, and the Creston Community School District"; and

WHEREAS, the Iowa statutes require the City Council to submit the proposed South Cottonwood Residential Urban Renewal Plan to the Planning and Zoning Commission for review and recommendation as to its conformity with the general plan for development of the City as a whole, prior to City Council approval thereof; and

WHEREAS, creation of the South Cottonwood Residential Urban Renewal Area and adoption of the South Cottonwood Residential Urban Renewal Plan therefore has been approved by the Planning and Zoning Commission for the City as being in conformity with the general plan for development of the City as a whole, as evidenced by its written report and recommendation filed herewith, which report and recommendation is hereby accepted, approved in all respects and incorporated herein by this reference; and

WHEREAS, by resolution adopted on May 5, 2015, this Council directed that a consultation be held with the designated representatives of all affected taxing entities to discuss the proposed South Cottonwood Residential Urban Renewal Plan and the division of revenue described therein, and that notice of the consultation and a copy of the proposed South Cottonwood Residential Urban Renewal Plan be sent to all affected taxing entities; and

WHEREAS, pursuant to such notice, the consultation was duly held as ordered by the City Council and all required responses to the recommendations made by the affected taxing entities, if any, have been timely made as set forth in the report of the City Administrator, or his delegate, filed herewith and incorporated herein by this reference, which report is in all respects approved; and

WHEREAS, by resolution this Council also set a public hearing on the adoption of the proposed South Cottonwood Residential Urban Renewal Plan for this meeting of the Council, and due and proper notice of the public hearing was given, as provided by law, by timely publication in the Creston News-Advertiser, which notice set forth the time and place for this hearing and the nature and purpose thereof; and

WHEREAS, in accordance with the notice, all persons or organizations desiring to be heard on the proposed South Cottonwood Residential Urban Renewal Plan, both for and against, have been given an opportunity to be heard with respect thereto and due consideration has been given to all comments and views expressed to this Council in connection therewith and the public hearing has been closed.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CRESTON, STATE OF IOWA:

Section 1. That the findings and conclusions set forth or contained in the proposed "South Cottonwood Residential Urban Renewal Plan" for the area of the City of Creston, State of Iowa, legally described and depicted in the Plan and incorporated herein by reference (which area shall hereinafter be known as the "South Cottonwood Residential Urban Renewal Area"), be and the same are hereby adopted and approved as the findings of this Council for this area.

Section 2. This Council further finds:

a) Although relocation is not expected, a feasible method exists for the relocation of any families who will be displaced from the South Cottonwood Residential Urban Renewal Area into decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families;

b) The Urban Renewal Plan conforms to the general plan for the development of the City as a whole; and

c) Acquisition by the City is expected and as to those areas of open land to be acquired by the City included within the South Cottonwood Residential Urban Renewal Area:

i. Residential use is expected and with reference to those portions thereof which are to be developed for residential uses, this City Council hereby determines that a shortage of housing of sound standards and design with decency, safety and sanitation exists within the City; that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality; and that one or more of the following conditions exist:

a. That the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas, including other portions of the urban renewal area.

b. That conditions of blight in the municipality and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime, so as to constitute a menace to the public health, safety, morals, or welfare.

c. That the provision of public improvements related to housing and residential development will encourage housing and residential development which is necessary to encourage the retention or relocation of industrial and commercial enterprises in this state and its municipalities.

d. The acquisition of the area is necessary to provide for the construction of housing for low and moderate income families.

ii. Non-residential use is not expected, however, with reference to any portions thereof which are to be developed for non-residential uses, such non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City in accordance with sound planning standards and local community objectives.

Section 3. That the South Cottonwood Residential Urban Renewal Area is an economic development area within the meaning of Iowa Code Chapter 403; that such area is eligible for designation as an urban renewal area and otherwise meets all requisites under the provisions of Chapter 403 of the Code of Iowa; and that the rehabilitation, conservation, redevelopment, development, or a combination thereof, of such area is necessary in the interest of the public health, safety or welfare of the residents of this City.

Section 4. That the City authorizes the Mayor and City Clerk to sign the Agricultural Landowner Consent, Exhibit D, to the Plan.

Section 5. That the City authorizes the Mayor and City Clerk to sign the "Agreement By and Among the City of Creston, the County of Union, and the Creston Community School District" allowing the extension of the period to collect tax increment.

Section 6. That the South Cottonwood Residential Urban Renewal Plan, attached hereto as Exhibit 1 and incorporated herein by reference, be and the same is hereby approved and adopted as the "South Cottonwood Residential Urban Renewal Plan for the South Cottonwood Residential Urban Renewal Area"; the South Cottonwood Residential Urban Renewal Plan for such area is hereby in all respects approved; and the City Clerk is hereby directed to file a certified copy of the South Cottonwood Residential Urban Renewal Plan with the proceedings of this meeting.

Section 7. That, notwithstanding any resolution, ordinance, plan, amendment or any other document, the original South Cottonwood Residential Urban Renewal Plan shall be in full force and effect from the date of this Resolution until the Council amends or repeals the Plan. Said South Cottonwood Residential Urban Renewal Plan shall be forthwith certified by the City Clerk, along with a copy of this Resolution, to the Recorder for Union County, Iowa, to be filed and recorded in the manner provided by law.

PASSED AND APPROVED this 2nd day of June, 2015.

Mayor

ATTEST:

City Clerk

Label the Plan as Exhibit 1 (with all exhibits) and attach it to this Resolution.